

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                               |   |                              |
|-------------------------------|---|------------------------------|
| In re Application of:         | : |                              |
|                               | : |                              |
| Robert R. STEUER              | : |                              |
|                               | : |                              |
| Serial No. (NEW)              | : | Art Unit: not yet assigned)  |
|                               | : |                              |
| Filed: December 12, 2003      | : | Examiner: (not yet assigned) |
|                               | : |                              |
| For: METHOD AND APPARATUS FOR | : | Atty Docket: P64272US3       |
| NONINVASIVE BLOOD             | : |                              |
| CONSTITUENT MONITORING        | : |                              |
|                               | : |                              |
|                               | : |                              |

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97**

**Mail Stop PATENT APPLICATION**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on form PTO-1449 is a listing of a document known to Applicants and/or their attorney in compliance with the requirements of 37 CFR 1.56.

Copies of the documents are not being submitted, as these documents were previously cited by or submitted to the Patent and Trademark Office in the parent application, U.S. Application Serial No. 09/771,596, filed January 30, 2001, and/or the grandparent application, U.S. Application Serial

No. 09/244,756, filed February 5, 2000 (now U.S. Patent No. 6,181,958). See 37 CFR 1.98(d) and MPEP 609A(2).

Since the Information Disclosure Statement is filed before the issuance of the first Office Action on the merits or within three months of filing, no fee is required. The Commissioner is hereby authorized to charge fees under 37 CFR § 1.17 which may be required for consideration of this paper; or credit and overpayment to Deposit Account No. 06-1358.

In accordance with 37 CFR § 1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

Applicants do not waive any rights to appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application.

#### **RELEVANCE OF THE DOCUMENTS**

All of the documents were previously cited by or submitted to the Patent and Trademark Office in the parent application, U.S. Application Serial No. 09/771,596, filed January 30, 2001, and/or the grandparent application, U.S. Application Serial No. 09/244,756, filed February 5, 2000 (now U.S. Patent No. 6,181,958).

### CONCLUSION

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and to similarly indicate in the official file wrapper of this patent application that the attached documents have been considered.

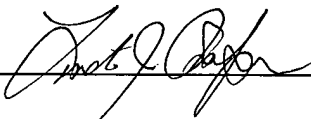
If the Examiner has any questions or wishes to discuss this application, the Examiner is invited to telephone the undersigned representative at the number set forth below.

Respectfully submitted,

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**Form PTO-1449****Information Disclosure Citation**Attorney Docket  
P64272US3Application No.  
(NEW)

Applicant

Robert R. STEUER et al.

Filing Date

December 12, 2003

Group Art Unit

(not yet assigned)

**U.S. Patent Documents**

| Examiner Initial |    | Patent Number | Date       | Name                     | Class | Sub-Class | Filing Date |
|------------------|----|---------------|------------|--------------------------|-------|-----------|-------------|
|                  | AA | 5,099,841     | 03/31/1992 | Heinonen et al.          |       |           |             |
|                  | AB | 5,111,817     | 05/12/1992 | Clark et al.             |       |           |             |
|                  | AC | 5,372,136     | 12/13/1994 | Steuer et al.            |       |           |             |
|                  | AD | 5,638,816     | 06/17/1997 | Kiani-Azarbayjany et al. |       |           |             |
|                  | AE | 4,802,486     | 02/07/1989 | Goodman et al.           |       |           |             |
|                  | AF | 5,791,348     | 08/11/199  | Aung et al.              |       |           |             |
|                  | AG |               |            |                          |       |           |             |
|                  | AH |               |            |                          |       |           |             |
|                  | AI |               |            |                          |       |           |             |
|                  | AJ |               |            |                          |       |           |             |
|                  | AK |               |            |                          |       |           |             |

**Foreign Patent Documents**

|  |    | Document Number | Date    | Country | Class | Sub-Class | Translation |
|--|----|-----------------|---------|---------|-------|-----------|-------------|
|  | AL | 0 444 934 A1    | 01/1990 | Europe  |       |           | Yes No      |
|  | AM |                 |         |         |       |           | Yes No      |
|  | AN |                 |         |         |       |           | Yes No      |
|  | AO |                 |         |         |       |           | Yes No      |
|  | AP |                 |         |         |       |           | Yes No      |

**Other Documents** (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |  |
|--|----|--|
|  | AR |  |
|  | AS |  |
|  | AT |  |

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.